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S E C R E T SECTION 01 OF 03 DHAKA 000466

SIPDIS

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TAGS: [ASEC](#) [MOPS](#) [PGOV](#) [PINR](#) [PBTS](#) [PHUM](#) [BG](#)

SUBJECT: PROGRESS REPORT: FBI CONDUCTS FOLLOW ON ASSESSMENT
OF THE BDR MUTINY INVESTIGATION

REF: A. DHAKA 197
[1](#)B. DHAKA 206
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Classified By: DEPUTY CHIEF OF MISSION, GEETA PASI FOR REASONS 1.4 (b)
and (d)

Summary

[1](#)1. (C) The Police investigation into the February 2009 BDR mutiny appears on track, with investigators continuing to follow the best practices shared by the FBI during an earlier visit. The investigation will likely require another six months, but as of now there is still no indication of outside involvement. The police continue to welcome assistance from the USG, including regular FBI visits. We continue to stress the importance of transparency and respect for human rights during the investigation and prosecution of the mutiny suspects.

Background

[1](#)2. (SBU) In March 2009, responding to a request from Bangladesh, the Legatt Office in New Delhi provided assistance to the Police Criminal Investigations Division (CID) in the aftermath of the February 25 - 26 BDR mutiny that claimed the lives of 84 Bangladeshis including 55 army officers. Four FBI Agents from the Los Angeles Field Office along with the Assistant Legatt to New Delhi traveled to Bangladesh shortly after an initial assessment of the crime scene. The Agents provided instructional support and guidance in areas such as evidence collection, major case management techniques, and command post operations.

Update On Investigation

[1](#)3. (C) Visiting Assistant Legatt to New Delhi and RSO met with the Deputy Inspector General for CID, Saiful Islam Tuesday, May 5, to assess progress made in the BDR mutiny investigation. DIG Alam proclaimed the command post the FBI helped CID to set up an overwhelming success. He was open in sharing details of the numbers of personnel arrested, evidence collected, and witnesses interviewed drawing from a the operation of their command post. According to the report:

- 1,341 personnel have been arrested (1,316 of those are BDR

personnel)

- 402 are remanded in custody awaiting to see a Magistrate
- 371 of those arrested or remanded have been interrogated
- 1,369 pieces of evidence have been recovered
- 2,657 witnesses have been interviewed
- All surviving seconded BDR/Army Officers have been interviewed

DIG Alam noted that simply compiling this data would have taken several agencies working separately at least six months. He credited the formation of the control room for the CID's enhanced ability to manage the investigation.

14. (C) DIG Alam claimed CID's investigation had not revealed any outside involvement in planning or influencing the BDR Mutiny. DIG Alam admitted CID had originally planned to approach this case from an evidentiary or scientific perspective. After recognizing limitations with evidence collection and consulting with the FBI, however, CID realized this methodology would not have been appropriate. Instead, CID had decided to focus on corroborating data obtained from witness interviews.

Addressing Deaths of BDR Jawans

15. (S) The Assistant Legal Attach probed DIG Alam regarding
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the untimely deaths of several BDR jawans enlisted personnel while in Bangladesh custody. Clearly avoiding the intent of our line of questioning, the DIG claimed that Bangladeshis were an "emotional people" and that the "shock and horror of the BDR mutiny has placed great stress on the BDR jawans causing suicides and heart attacks." He added that none died while in CID custody but did not elaborate. If asked to do so, Alam said, CID would investigate possible human rights/deaths, but at present they were committed to the task at hand of identifying those who carried out the attacks on February 25 - 26. (Comment: Clearly, the DIG was uncomfortable with this question and sought to deflect it. We believe the deaths occurred while the BDR jawans were being questioned by the military and police.)

Looking Ahead: Next Steps

16. (S) The GOB has given CID six months from the date of the mutiny to complete their investigation. DIG Alam confided, however, that this date was unrealistic and had been chosen simply to "keep the government off our backs." DIG Alam believed the investigation would likely take eight months but did not rule out the possibility it could take even longer.

17. (C) DIG Alam said CID had been unable to match two unidentified corpses taken from the BDR Compound with two missing Army Officers. He expressed concern that obtaining a DNA sample from the corpses at this point would likely be impossible given the length of time and preservation methods. (Note: The Army has not reported any missing persons. It is possible that these two corpses belong to BDR members or others caught up in the mutiny.)

Command Post Kept Running

18. (C) Assistant Legatt New Delhi and RSO toured the command post. It appeared to be fully functional and operational. CID was painstakingly mapping the known "kill sites" of each victim with the locations where they were eventually recovered. DIG Alam stated that two years ago, CID developed

an electronic case tracking program, which was now being used for the first time. The program lists individuals interviewed and later suspected (either by inference or full confession) along with their biodata into a subcategory describing what their role in the mutiny was. For example, an individual suspected of planning the mutiny was listed in the subcategory as a "conspirator/instigator" while those suspected of murder were listed as "killers." It was not readily apparent whether CID was making analytical assessments of the collated data to develop a time line of the mutiny or simply gathering data.

Military vs. Civilian Court - Still Undecided

¶9. (S) DIG Alam said the GOB was debating which court venue it would use - civilian court versus military tribunal. Whether in a civil or military proceeding, DIG Alam noted the information and evidence collected by CID would still be required. The military court would, however, charge the subjects with military violations such as treason, desertions, and other violations listed under military law. (Comment: We believe the military is pushing for military tribunals. End comment.)

CID Copes With Large Scale Investigation

¶10. (C) DIG Alam told us the magnitude of this case had overwhelmed the CID contingent based in Dhaka. As a result, CID had been forced to bring in manpower and equipment from other districts. CID was currently undergoing a five phase staffing increase (they are now in phase three). DIG Alam noted that when phase four was completed they would have added an additional 344 CID investigators. Even with the increase, DIG Alam said CID could still use additional resources to work the BDR mutiny case and for other long term operations. He made no specific requests at the meeting. (Comment: We will be offering Bangladesh an ATA Major Case Management Course in the coming months. End comment.)

Comment

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¶11. (C) It is encouraging that the police are continuing to follow the best practices recommended by the FBI in March. The relatively small amount of funding used has reaped significant dividends - in terms of an increase in investigative aptitude and the enhanced bilateral relationship. The investigation appears to be proceeding on track. It is noteworthy that the investigators have yet to uncover any outside involvement. This strongly suggests that none will be found, potentially creating a political problem for the government (which had been vocal in claiming from the beginning to see signs of a conspiracy). The CID response to our concerns about deaths in custody of BDR suspects was disappointing, if understandable. We have nothing to indicate CID involvement in the tortures, and CID is presumably worried about commenting on such a politically charged issue. We will continue to emphasize the need for transparency and respect for human rights at every opportunity as the Ambassador has done at his recent meetings with the Prime Minister and Foreign Minister.

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